IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 121 OF 2005
IN
INCOME TAX APPEAL NO. 455 OF 2003

Rakesh Ramani .. Appellant
V/s.
Income Tax Officer, Ward 14(1)-4,
Mumbai & Ors. .. Respondents

Mr. Pramod Kumar Parida for Appellant in support of the Notice of Motion
Mr. R.V. Desai for the Respondents

CORAM : S. RADHAKRISHNAN &
J.P. DEVADHAR, JJ.
DATED : 11.02.2005

P.C.:-

1. Heard the learned counsel for the Appellant and the learned counsel for the Respondents. By this Notice of Motion, the Appellant is seeking recall of our order dated 18.10.2004, whereby the above Appeal was dismissed in default. Perused the Affidavit in support of the Notice of Motion. For the reasons stated therein, sufficient cause is made out. There is no case of inaction, negligence or want of bonafide on the part of the Appellant, hence the Notice of Motion is made absolute in terms of prayer clause (A). Place the Appeal on Board for admission on 21.2.2005.

(S. RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)